

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

UNITED STATES OF AMERICA	)	
	)	
v.	)	No. 3:21-mj-02689
	)	
	)	JUDGE NEWBERN
JAMES EDWARD COWAN	)	

**UNITED STATES' MOTION FOR A DETENTION HEARING**  
**AND FOR DETENTION OF THE DEFENDANT**

COMES NOW the United States of America by Henry C. Leventis, United States Attorney, and Robert E. McGuire, Assistant United States Attorney, and moves this Court for detention of the Defendant under 18 U.S.C. § 3142(f)(1)(B) & (C). The United States submits that the Defendant is charged in the Criminal Complaint with possessing a firearm in furtherance of a drug trafficking crime and an offense for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act. As such, since these offenses are enumerated under § 3142(f)(1), there is no question that the Government is entitled to a detention hearing on this matter.

Additionally, the United States would submit that – by operation of 18 U.S.C. § 3142(e)(3)(B) – a rebuttable presumption exists before this court that “no condition or combination of conditions will reasonably assure the safety of any other person and the community.” The United States intends to rely on the presumption at the detention hearing in this matter. Additionally, the United States would submit that the Defendant has a prior conviction for Robbery, a violent crime.

The United States also respectfully requests that, should a hearing be necessary, the Court grant the United States a continuance in this matter of three days so that the United States may adequately prepare for the hearing on this motion.

Respectfully submitted,

HENRY C. LEVENTIS  
United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing will be served electronically and by hand to counsel for defendant via CM/ECF on the 31st day of January, 2023.

/s/ Robert E. McGuire  
ROBERT E. MCGUIRE